

031804
17712 U.S. PTO

PTO/SB/05 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|---|
| Attorney Docket No. | 200TR388 |
| First Inventor | Arthur L. Backman et al. |
| Title | Flexible Laminated Plastic Pipe, Having A Chlorinated Poly (Chloride) Hollow Core |
| Express Mail Label No. | EV311522522US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 28]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Sheets 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

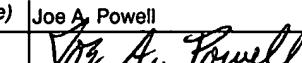
Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner _____ Art Unit: _____
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number: 37535 OR Correspondence address below

| | | | |
|---------|-----------|----------|--|
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|---|-----------------------------------|---------------|
| Name (Print/Type) | Joe A. Powell | Registration No. (Attorney/Agent) | 28,108 |
| Signature |  | Date | 18 MARCH 2004 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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17510 U.S. PTO
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17712 U.S.P.T.O.

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

| | |
|----------------------|--------------------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | Arthur L. Backman et al. |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | 200TR388 |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

| | |
|------------------------|--------------|
| Deposit Account Number | 50-1501 |
| Deposit Account Name | Noveon, Inc. |

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Fee Code (\$) | Fee | Small Entity | Fee Code (\$) | Fee | Fee Description | Fee Paid |
|--------------|---------------|------|--------------|---------------|-----|------------------------|----------|
| 1001 | 770 | 2001 | 385 | | | Utility filing fee | 770 |
| 1002 | 340 | 2002 | 170 | | | Design filing fee | |
| 1003 | 530 | 2003 | 265 | | | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | | | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | | | Provisional filing fee | |
| SUBTOTAL (1) | | (\$) | | 770 | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | 12 | -20** = | 0 | x | 18 | = | 0 | Extra Claims | Fee from below | Fee Paid |
|--------------------|----|---------|---|---|-----|---|---|--------------|----------------|----------|
| Independent Claims | 2 | - 3** = | 0 | x | 86 | = | 0 | | | |
| Multiple Dependent | | | | | 290 | = | 0 | | | |

| Large Entity | Fee Code (\$) | Fee | Small Entity | Fee Code (\$) | Fee | Fee Description | |
|--------------|---------------|------|--------------|---------------|-----|--|--|
| 1202 | 18 | 2202 | 9 | | | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | | | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | | | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | | | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | | | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | (\$) | | 0 | | | |

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

| Large Entity | Fee Code (\$) | Fee | Small Entity | Fee Code (\$) | Fee | Fee Description | Fee Paid |
|--------------|---------------|------|--------------|---------------|-----|--|----------|
| 1051 | 130 | 2051 | 65 | | | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | | | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | | | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | | | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | | | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | | | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | | | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | | | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | | | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | | | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | | | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | | | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | | | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | | | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | | | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | | | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | | | Design issue fee | |
| 1503 | 640 | 2503 | 320 | | | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | | | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | | | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | | | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | | | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | | | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | | | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | | | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

40

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|----------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Joe A. Powell | Registration No. (Attorney/Agent) | 28,108 | Telephone | 216-447-5716 |
| Signature | <i>Joe A. Powell</i> | | | | |
| Date | 18 MARCH 2004 | | | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL"
UNDER 37 CFR 1.10 - SEPARATE PAPER**

Applicant: Arthur L. Backman et al. Docket No.: 200TR388

Serial No.:

Filed: Filed Herewith

For: FLEXIBLE LAMINATED PLASTIC PIPE HAVING A CHLORINATED
POLY(VINYL CHLORIDE) HOLLOW CORE

"Express Mail" Label No.: EV311522522US

Date of Deposit: 3/18/04

I hereby certify that this correspondence (including any paper or fee referred to herein) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above in an envelope addressed to: MAIL STOP PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Respectfully submitted,


Joe A. Powell
Reg. No. 28,108

Noveon, Inc.
Legal Department
9911 Brecksville Road
Cleveland, Ohio 44141-3247
(216) 447-5716

Enclosures: Return Card
Express Mail Certificate
Utility Patent Application Transmittal
Fee Transmittal for FY 2004
Title Page, Specification, Claims and Abstract - 28 pages
Figures 1-2
Executed Declaration and Power of Attorney
Executed Assignment and Recordation Cover Sheet Patents Only